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PATENT  
Customer No. 22,852  
Attorney Docket No. 3180.0344

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
HITOSHI ITO )  
Application No.: 10/725,570 ) Group Art Unit: 1756  
Filed: December 3, 2003 ) Examiner: Unknown  
For: PHOTOMASK, METHOD FOR ) Confirmation No.: 5142  
FABRICATING A PATTERN AND )  
METHOD FOR MANUFACTURING )  
A SEMICONDUCTOR DEVICE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

The following is a concise statement of relevance of the non-English language documents.

1. Japanese Publication No. 10-223634 is discussed on page 3 of the above-identified application. In addition, an English-language abstract is attached.

2. Japanese Publication No. 7-74175 is discussed on page 3 of the above-identified application. In addition, an English-language abstract is attached.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: \_\_\_\_\_

11/3/04

By: \_\_\_\_\_

Richard V. Burgujian  
Reg. No. 31,744

NOV 03 2004

IDS Form PTO/SB/08: Substitute for form 1449A/PTO

Complete if Known

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/725,570       |
| Filing Date            | December 3, 2003 |
| First Named Inventor   | Hitoshi Ito      |
| Art Unit               | 1756             |
| Examiner Name          | Unknown          |
| Attorney Docket Number | 3180.0344        |

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|-------|---|----|---|
| Sheet | 1 | of | 1 |
|-------|---|----|---|

**U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS**

| Examiner<br>Initials | Cite<br>No. <sup>1</sup> | Document Number                          | Issue or<br>Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|----------------------|--------------------------|--|--|--|---|
|                      |                          | Number-Kind Code <sup>2</sup> (if known) |  |  |   |
|                      |                          | US-                                      |  |  |   |
|                      |                          | US-                                      |  |  |   |
|                      |                          | US-                                      |  |  |   |
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**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004****FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures<br>Appear | Translation <sup>6</sup> |
|----------------------|--------------------------|---|--------------------------------|--|--|--------------------------|
|                      |                          | Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) |                                |  |  |                          |
|                      |                          | 10-223634   | 8/21/98                        | Japan  |  | Abstract                 |
|                      |                          | 7-74175   | 3/17/95                        | Japan  |  | Abstract                 |
|                      |                          |   |                                |  |  |                          |
|                      |                          |   |                                |  |  |                          |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item<br>(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s),<br>publisher, city and/or country where published. | Translation <sup>6</sup> |
|----------------------|--------------------------|---|--------------------------|
|                      |                          | INOUE ET AL., "Level-Specific Strategy of KrF Microlithography for 130 nm DRAMs," IEEE (1999),<br>pp. 809-812   |                          |
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|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.